

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: June 15, 2005

Division: BOCC1

Bulk Item: Yes ☐ No ☐

Department: BOCC1

Staff Contact Person: Jana Johnson-Willi

AGENDA ITEM WORDING: Approval of a resolution of the Board of County Commissioners of Monroe County Florida to oppose H.R. 6, the Energy Bill.

ITEM BACKGROUND: This resolution opposes the proposed energy bill H.R. 6 recently passed by the U.S. House of Representatives as it shifts the cost of clean-up from polluters to local taxpayers, enables oil and gas activities off our coast and protects polluters from liability and prevents communities from suing from contamination. This is a companion resolution and a request of the Lee County Board of County Commissioners to express our concern about these dangerous unfunded mandates.

PREVIOUS RELEVANT BOCC ACTION:

CONTRACT/AGREEMENT CHANGES:

STAFF RECOMMENDATIONS:

TOTAL COST: _____

BUDGETED: Yes ☐ No ☐

COST TO COUNTY: _____

SOURCE OF FUNDS: _____

REVENUE PRODUCING: Yes ☐ No ☐ **AMOUNT PER MONTH** _____ **Year** _____

APPROVED BY: County Atty _____ OMB/Purchasing _____ Risk Management _____

DIVISION DIRECTOR APPROVAL: *Dixie M. Spehar*
Dixie M. Spehar, Mayor

DOCUMENTATION: Included ☐ Not Required ☐

DISPOSITION: _____

AGENDA ITEM # _____

RESOLUTION NO. _____
RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA
TO OPPOSE H.R. 6, THE ENERGY BILL

WHEREAS; The National Association of Counties has expressed strong concerns to Congress regarding H.R. 6, The Energy Policy Act of 2003 for its disregard for state and local land use rights and for the unfunded mandates imposed upon its citizens by shifting the costs of cleanup from polluters to local taxpayers, and

WHEREAS; the Energy Bill contains many provisions that weaken the State's ability to object to oil and gas activities off of Florida's coast including the weakening of the present Coastal Zone Management Act, and

WHEREAS; Section 2010 of the Energy Bill gives the Secretary of the Interior authority to site on the outer continental shelf not only alternative energy facilities but also any facility related to the exploration, development, production, transportation, or storage of oil, natural gas and other materials. This edict essentially gives the Secretary of the Interior czar like authority to site a wide range of oil and gas facilities on the outer continental shelf without guaranteeing state participation, specific protection or competitive bidding, and

WHEREAS; the Energy Bill contains 39 known roll backs to protections given in current law that will negatively effect public health, state and local rights regarding public lands, rivers and coastal areas and compromises the rights of citizens by shielding polluters from clean-up liability

WHEREAS; the Energy Bill contains defective product liability protection for producers of Methyl Tertiary Butyl Ether (MTBE) preventing communities from suing MTBE manufacturers for the contamination of our water supply and placing the costly and retroactive burden of clean up from the oil and gas industry to state and local taxpayers and

WHEREAS; Florida has the most MTBE spills in the country presently at 29,000 and this bill would extinguish active suits such as the one presently filed in the City of Pensacola, and

WHEREAS; the Tax Payers for Common Sense, a non-partisan budget watchdog group has identified 18.7 billion in industry tax cuts within the Energy Bill which sadly supports many present industry policies which simply perpetuate the unsustainable practices of the past

WHEREAS; there is a growing broad based group including tax and consumer groups, state and local governments, religious leaders, labor unions, hunters and anglers, environmental and public health advocates and Native American tribes that oppose the Energy Bill and recognize that the United States can meet the energy needs of its citizens

without sacrificing environmental protections, despoiling pristine lands and putting at risk the needs of future generations.

~~NOW, THEREFORE, BE IT RESOLVED THAT THE MONROE COUNTY~~
~~BOARD OF COUNTY COMMISSIONERS~~ opposes H.R. 6, the Energy Policy Act of 2003 as presently written and call upon our Florida Senators and Members of Congress to restore state and local government's rights and to advocate legislation and funding for more secure, renewable and sustainable energy sources.

This resolution was offered by Mayor Dixie M. Spehar who moved for its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Mayor Dixie M. Spehar _____
Mayor Pro Tem Charles "Sonny" McCoy _____
Commissioner George Neugent _____
Commissioner David P. Rice _____
Commissioner Murray E. Nelson _____

DULY PASSED AND ADOPTED this 15th day of June, 2005.

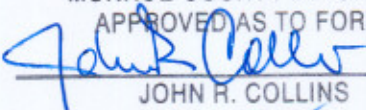
(SEAL)
Attest: DANNY L. KOLHAGE, Clerk

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By _____

By _____

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:



JOHN R. COLLINS
COUNTY ATTORNEY
Date 06/13/05